

- Q. Then why didn't you meet him there?
- A. Well, maybe I did meet him there once. I don't remember whether it is since he went to Montreal. As far as I remember it was not. There didn't seem to be any particular reason.
- Q. Why did not Adams make his own arrangements to meet you on the street corner?
- A. I don't know. He didn't.

In September 1945 Willsher was advised by Miss Chapman that Adams wished the former to meet him in Montreal. Willsher testified:

- Q. Were you requested to meet him in Montreal at all?
- A. Yes, last September.
- Q. In September of—?
- A. 1945.
- Q. How did you know that you were requested to go there?
- A. Miss Chapman told me.
- Q. What did she tell you?
- A. She said he would like to see me during September, towards the end of September.
- Q. For what purpose?
- A. Just to ask me a few things, I suppose. She said he was going away, so would I try to see him before the end of September.
- Q. She said he was going away?
- A. Yes.
- Q. Where?
- A. She didn't say where. She said he wouldn't be in Montreal. I suppose that's it; it would be somewhere distant from here.
- Q. And he wanted to see you in Montreal?
- A. Yes.
- Q. So did you proceed to Montreal?
- A. Yes, I went down in September.
- Q. My information is that you went there by car?
- A. Yes.
- Q. What date would that be?
- A. I said the second or third week, but I am wondering—I said the third or fourth week, and I am wondering if it was the second; but that can be checked, because my friend drove me down to Montreal and she would remember.

The witness proceeded by car as far as Dorval and then by train.

Q. And you took a train to Montreal, and Adams met you at the Windsor station?

A. Yes.

Q. And drove you to his apartment?

A. Yes.

Q. What took place at the apartment?

A. When I got there I said he seemed to be surprised at me coming, and I said I had been told he was going away and that I should try to come down in September. He said, "Oh, but I'm not going away. There must have been some mistake." He said, "I did go for a short trip west."

Q. Did he say where?

A. No, just west.

Q. And then?

A. And it seemed rather strange. I felt there was something unusual, and it seemed that my visit was purposeless, because he was not going away; there was not any urgency of any kind. So then he took me to dinner, and I met the family and his wife, and most of the time was spent there, and we went back to the station at half past seven.

Q. You were surprised?

A. Well, it had seemed that it was urgent I should go.

Q. You were being asked to go to Montreal to meet him, and you expected the interview would be of some importance and some urgency?

A. Yes, or that he would say, "I am going away for a long time", and there was nothing like that.

Q. He would not call you just to tell you he was going away for a long time. You suspected that possibly he would arrange for some other contact for you to make.

A. I suppose that might be so.

Q. Do you suppose, or is that not the fact?

A. I should think so.

Q. You *did* think so, didn't you?

A. Yes.

Q. So there was nothing, no information asked or given and no instructions given of any kind?

A. No.

Q. And as you have stated, this trip to Montreal became absolutely without any result? There was no result?

A. Yes, no result.

Q. To your surprise?

A. Yes.

We suspect that Adams did intend to go on a "trip" at the time Chapman was instructed to tell Willsher to go to Montreal. Gouzenko had then left the Embassy. Before Willsher got to Montreal something caused a change in the plan. Courage may have revived.

Q. How did you come back from Montreal to Ottawa?

A. By train.

Q. Who paid the expenses for it?

A. That involves this matter of the \$25 that I mentioned in my statement. During the summer, I think it was the last time I saw him—

Q. We will finish that question first of all. Who paid for your trip back to Ottawa?

A. I paid it out of the \$25.

Q. Which was given to you by whom?

A. Adams.

Q. When?

A. During the summer.

Q. Where?

A. At Ottawa.

Q. Was that during one of these meetings in the car?

A. Yes.

Q. And for what purpose did he give the money to you then?

A. He said, "If you have to go to Montreal you can pay part of your expenses."

Q. And you accepted the money?

A. Yes. I didn't think twice about it. I should have thought twice about it, but I didn't.

Q. And how much of that money did you use?

A. A single fare from Montreal to Ottawa.

Q. Which amounts to about what?

A. I think it is \$4.25.

Q. What did you do with the balance?

A. I have it.

Q. Is it not your idea that it is money that was given to you for that purpose?

A. Yes.

Q. You are sure of that?

A. I think that now; yes, but I didn't think about it until—

Q. Did you not have the same idea at the time, that it was money which was given to you to carry on the purposes of the association, and giving information, and so on?

A. Yes.

Q. Because otherwise you would not have accepted the money from a man?

A. No, certainly not. I had no reason to do so.

Q. You must have assumed at the time that he would be reimbursed for that by his superiors, whoever they might be?

A. Yes.

Q. Was there any other intimation as to when the next trip to Montreal would be made?

A. No.

Q. Then your idea of your trip to Montreal was that you were going to get instructions from Mr. Adams?

A. Yes.

Q. Or that Mr. Adams was going to ask you some questions about what you might have learned from your employment in the meantime?

A. Yes.

Q. Is that a fair way of putting it?

A. Yes.

Q. And then you say that when you got there he told you that this idea that he had proposed to go away was a false alarm?

A. Yes. Not a false alarm, but he was not going away.

Q. And after that it was just a nice little family conversation?

A. Yes.

Q. Mrs. Adams was there, and the family?

A. Yes, sir.

Q. And you had a nice trip to Montreal, and that is all that took place?

A. Yes.

Q. And you are serious with that?

A. Yes.

- Q. Mr. Adams did not give you any instructions?
- A. No.
- Q. Didn't tell you anything?
- A. No.
- Q. To summarize the whole situation, as I understand it, you were disappointed?
- A. Well, I felt it was a waste of time. I didn't think any more of it after that. I thought it was just rather queer, that is all.
- Q. When he gave that money to you, was that given to you in an envelope, in bills? In what form was it?
- A. Loose cash.
- Q. Loose cash?
- A. Yes.
- Q. In bills?
- A. Yes.
- Q. And did you keep those bills?
- A. No; I paid them into the Ontario Savings Bank. You will find an entry of \$15.
- Q. That is into your own account?
- A. Yes.
- Q. What is the number of your account?
- A. W-883.
- Q. What bank?
- A. Ontario Savings.
- Q. And what branch?
- A. On Sparks Street. There is only one. You can see it in my little passbook.
- Q. You have not this passbook with you?
- A. No, it is at my home.
- Q. With relation to the time that you returned from Montreal, when did you make that deposit?
- A. I don't know whether I paid it back just like that; I mean I think--
- Q. But you came back to Ottawa on Sunday?
- A. Yes.
- Q. And when did you make the deposit?
- A. What do you mean; the change?
- Q. When did you make the deposit?
- A. I got the money in Ottawa, in a car. I then put it into the bank, within a day or two.

- Q. I am sorry; I was confused about that.
- Q. So the deposit of \$25 which will appear in your passbook in the summer of 1945 will definitely set the date of the reception of that amount, or the day previous, I suppose?
- A. Well, I might have taken two or three days; I couldn't say. I don't remember at all how long. I know I did place it in my bank.

The records of the local office in Ottawa of the Province of Ontario Savings Bank show a deposit of \$25.00 on June 21st, 1945, to the credit of Willsher's account.

As to the letter of November 3, 1944, from the Canadian Ambassador at Moscow to the Prime Minister, item 109 on Zabotin's mailing list, Willsher testified:—

- Q. I am exhibiting to you a document which has been filed as Exhibit No. 96. Would you read it and say whether you have seen the document before?

A. I remember about this post-war credit, but I don't know—

Q. Just a moment. What do you remember?

A. I don't remember that figure, but I remember about post-war credit.

COMMISSIONER:

Q. You are showing what exhibit?

COUNSEL:

A. That is Exhibit 96, the Wilgress report.

WITNESS:

A. In our office we would not have a copy of anything like that, I don't think.

Q. But what makes you remember the document or the figure?

A. Because I have been told this week about post-war credit, and I do remember a total figure of about that.

Q. So you remember you had seen—?

A. Something.

Q. You would not have seen this very document?

A. No.

Q. But you have seen something relating to the substance of this document?

A. Something like that.

Q. Is that a fair way to put it?

A. Yes.

- Q. And did you communicate that information?
- A. Yes, I did.
- Q. You mentioned that to whom?
- A. Adams.
- Q. You gave him what you could remember of information you had seen in your office?
- A. Yes.
- Q. And that was when? The document is dated November 3, 1944?
- A. It was somewhere about the end of November, I suppose.
- Q. Would you remember whether he was in Montreal or whether he was in Ottawa at that time; that is Adams?
- A. No.

She said that she did not remember the letter of November 10, 1944, item 110 on the mailing list. The evidence shows that neither of these documents or copies of them were sent by the Department of External Affairs to the Office of the High Commissioner. Copies of these letters were however sent to the Bank of Canada of which Adams was an employee and, in addition, a copy of one of them was sent to him as a member of the External Trade Advisory Committee. It is certain that they found their way into the Soviet Embassy and that Willsher who was reporting to Adams was given the credit as the source of supply.

The following evidence of Willsher is also pertinent with regard to her state of mind:—

- Q. Did you ever tell anyone at the Office of the High Commissioner that you were a member of the Communist Party?
- A. No.
- Q. Where did you obtain the literature that you read on Communism?
- A. At the meetings, the group meetings.
- Q. Did you ever go yourself to a store to buy any one of those books?
- A. No.
- Q. Why?
- A. I suppose I would get it at the group meetings. I may have put in an order once, if that is the one you are thinking of. The Inspector mentioned that order somewhere.
- Q. You might have ordered some books, where?
- A. To be got from the book shop, but I would not have got them.
- Q. Would you get it yourself or was it through somebody else?
- A. Through somebody else.

Q. Through whom?

A. I do not remember; I think it was ordered from Mr. Zeller many years ago.

Q. You never went to the book shop?

A. No, I never went to it.

Q. Why?

A. I did not go.

Q. That is not answering my question. I am asking you why you did not go? I will put it to you that you did not go because you did not want anyone to see you there?

A. Yes.

Q. I am going to put this question to you, but before I do so I should like to read to you an answer that you gave during your interrogation. This question was asked:

Q. At approximately what stage of what year did Fred Rose suggest to you that you could contribute to the promotion of the United Front and the Soviet Government by giving him in general terms any information of value which passed through your hands in the Office of the High Commissioner for Canada?

A. I think about 1937.

A. It should have been 1935.

Q. Were you asked that question?

A. Yes.

Q. And you answered, "I think about 1937", but it should have been 1935?

A. Yes.

Q. You told us yesterday that when you were asked by Fred Rose to betray your employer and pass on information that it created in your mind and in your heart and in your conscience considerable trouble?

A. Yes, because it should not occur to anybody.

Q. And that you gave thought to it at that time?

A. Yes.

Q. And that being called upon to make a decision as between your master and the country you were working for, on the one hand, and the Communist Party, on the other hand, you told us that you decided in favour of the Communist Party?

A. Yes.

Q. Because you felt that you owed loyalty to the Communist Party first?

A. Yes.

Q. Whom do you think the Communist Party held loyalty to?

A. As I say, I think they are in their own country, they are all connected, because they all have the same aims in view.

Q. When you made your decision you were fully aware, not only of the ordinary loyalty that you owed to the country for which you were working, but also of the provisions of *The Official Secrets Act*?

A. Yes.

Q. Which you had read. You knew the penalties which were involved?

A. Yes.

Q. Notwithstanding all that you decided to give priority to the duties which were imposed on you by the Communist Party?

A. Yes. I signed that in 1939 so I did not sign it before this; in the second period it would—

Q. Would it have made a difference, anyway?

A. I suppose I had got to the point where I would not—I was already—

Q. You were already—

A. Enthusiastic over it.

Q. You were ready to do anything the Party asked you to?

A. Yes.

Q. I suppose even in 1935 you knew it was an improper thing to do?

A. Yes.

Q. That is what caused this struggle in your mind?

A. Yes. I know I can be shot quite easily, if necessary.

Q. You know you can be what?

A. Shot, if necessary.

Q. Where?

A. The provisions are very strict.

Q. What are you speaking about now?

A. I just mentioned that.

Q. What are you speaking about, what are you referring to?

A. *The Official Secrets Act*—do not they execute people?

COMMISSIONER: I had not heard of that myself in this country.

Q. As you stated, you were ready to put aside loyalty to your master and to the country for which you were working and you were ready to violate the laws of Canada; that is, *The Official Secrets Act*?

A. For international—a party that is international.

Q. To put it in a nutshell. You made yourself the judge of what was right and proper and you put your loyalty to the Communist Party first. It all comes down to that?

A. Yes, it comes down to that. I do not think the Communist Party is necessarily against the interests of Canada and that is why I did not feel—I thought it was in the interests of all in many respects, particularly during the war.

Q. I suppose that viewpoint of yours was shared by Adams and these other people?

A. What I understood to be—

Q. How active a Communist was Adams?

A. I do not know except that he was in the group studying; I did not know what other activities—

Q. Was he studying or teaching you?

A. No, we all studied. I mean everybody took their part in preparing a chapter and explaining it. There was no question of one person sitting and giving a lecture to other people. Everybody had to participate and do their part.

Q. Did you ever state that he was an ardent Communist?

A. I considered that all members of the group were that.

Q. Did you receive any money at any time in addition to this \$25?

A. No.

Q. You did what you did entirely as a result of your membership and sympathy for the Communist Party?

A. Yes.

Q. And the Communist Party, as you say, has branches or independent Parties in a number of other countries?

A. Yes.

Q. And they have common objects?

A. Sometimes, not always, because there are internal problems that are different.

Q. But have they some objects in common?

A. I suppose so, yes.

Q. That is a phrase you use a great deal?

A. Yes.

Q. Just a minute, please. You have given a good deal of study to these matters, going back at least four years. From your study and your knowledge and from what you have been told, do you say that those parties have some object or objects in common?

A. Yes, the founding of scientific socialism and the maintenance of peace.

Q. By what means are those objects to be attained?

A. The kind of policies that they support, that they support in getting in their country or hope that their Government will pursue.

Q. And the use of force?

A. Well, force is still used. I mean, they supported this last war, in which force was used. They considered that it was the kind of war they should support. Yes.

Q. I am asking you if the use of force is one of the means recognized by the Communist Party to attain its aims?

A. Well, I can see it happening.

Q. I did not ask you what was happening. I asked you if that was an object or a recognized means?

A. It is not an object. It is sometimes necessary.

Q. I am asking you if that is a recognized means for attaining the ends or objectives of the Communist Party?

A. Not unless necessary.

Q. I see, but if the Party decides it is necessary, then it is a recognized means?

A. Yes.

Q. And is it recognized that force may be used even within a country for the purpose of attaining the objects of the Communist Party in that particular country?

A. Only as a last resort.

Q. But still recognized as a means?

A. I suppose so.

Q. Then you would agree that these various Communist parties in these countries have these objects that we have been speaking about in common?

A. Yes.

Q. And if the Communist Party in Canada, for the purpose of advancing the interests of the Communist Party elsewhere, thought it advisable to pass on any information that you had given Mr. Adams, what about that?

A. I suppose that might have happened, but I didn't think of that.

Q. You didn't what?

A. I thought that it was—

Q. Perhaps you will let me put my question. Did you think the Communist Party executive in Canada would use information from all sources other than you for that purpose, if they thought necessary, but they would not use your information? Is that what you mean?

A. No, I don't think I would consider none any exception. I don't know what they did.

Q. But you did contemplate that they might use your information outside the country, if they thought that by so doing it would advance the interests we have been speaking about?

A. I don't know what they do.

Q. I did not ask you that. I will ask the reporter to read the question again:

(Reporter reads "Q. But you did contemplate that they might use your information outside the country, if they thought that by so doing it would advance the interests we have been speaking about?")

Q. What do you say?

A. I suppose it is possible that they would.

Q. And you contemplated that?

A. I didn't—

Q. You say you did not contemplate that?

A. I didn't think about it especially, how it would be used.

Q. You mean it did not come clearly into your mind, but would you say that was a possibility that you were bound to recognize?

A. I suppose so; yes.

Q. I am not at all trying to get you to make any particular answers, Miss Willsher. I just want to know what your answers are, so I will understand.

A. Yes.

Q. Is there any explanation further you want to make up to that point, as far as we have gone? Is there anything you want to add or anything you want to explain, or do you think your answers are full enough?

A. I think they are full enough.

Q. Now I just want to ask you this question. You were giving this information to Mr. Adams that you have told us about, and you have told us that Mr. Adams was also a Civil Servant employed in the Bank of Canada?

A. Yes.

Q. And I suppose you would contemplate that if Mr. Adams was interested in getting information from you, he would also be interested in getting such information as he could in his Department?

A. Well, he never did. In his own Department?

Q. In the Bank of Canada. Do you understand my question?

A. Yes. You mean if he wanted—

Q. My question to you is, if Mr. Adams was interested in getting information from you, from the High Commissioner's office, you must have contemplated that Mr. Adams was doing the same thing at the Bank of Canada?

A. Yes.

On her own admission, therefore, Willsher was communicating information which came to her in the course of her employment in the Office of the High Commissioner. We have no doubt that the ultimate destination of these communications was the Soviet Embassy at Ottawa, nor do we doubt that Willsher knew that fact.

On May 3, 1946, Willsher pleaded guilty before the Judge of the County Court of the County of Carleton, to the following charge

. . . for that she, the said Kathleen Mary Willsher from the First Day of January, A.D. 1942, to the Seventh day of September, A.D. 1945, at the City of Ottawa, in the said County, and elsewhere in the Pro-

vince of Ontario and in the Province of Quebec, being a person having in her possession and control certain information to which she had access owing to her position as a person who held office under His Majesty, did unlawfully communicate such information to a person other than a person to whom she was authorized to communicate with or a person to whom it was in the interest of the State her duty to communicate such information, contrary to Section 4 Sub-Section (1) (a) of The Official Secrets Act, Chapter 49, Statutes of Canada, 1939, 3 George VI, in such case made and provided.

SECTION III. 7

[MATT. S. NIGHTINGALE] P.F.123 033 -

This man was born in Mobile, Alabama, U.S.A., in 1906 and his parents came from Quebec City. After having attended the University Military School at Mobile, he came to Canada in 1922 and graduated from McGill University as an engineer in 1928. He did some post graduate study on transmission engineering, specializing in telephone work.

He worked with the Northern Electric Company, the Shawinigan Water and Power Company, and the Bell Telephone Company of Canada.

In 1942, he joined the Air Force, and in the first days of February, 1945, having been discharged from the R.C.A.F., he returned to the Bell Telephone Company as toll plant engineer in Montreal.

While with the R.C.A.F., on account of his engineering qualifications, he occupied a number of positions in the telephone lines sections, and he was for a time liaison officer between the Air Force and Defence Communications, Limited, a Crown corporation organized for the construction of communication facilities. He started as a Pilot Officer, and within three years became a Squadron-Leader.

Although he does not remember having taken an oath of secrecy, he was aware of the "general security" orders, and knew of section 5, which reads as follows:-

5 It is an offence to convey, or to attempt to convey by any method, to unauthorized persons, information or documents, which are, or might be, harmful to security. This specifically includes all Service examination papers, precis, text-books, instructional material, Service publications, forms, and documents, that carry a security category, or any part thereof. It is understood that this order does not apply to official communications which are dispatched in conformity with Service instructions.

The first reference to Nightingale that we find in the notebooks kept at the Russian Embassy, links Nightingale with the "Ottawa-Toronto Group". In one of the documents, from the dossier of Sam Carr, we see the following note, written by Rogov:-

I gave the contact with MAT NANTINGALE. I made (him?) acquainted with doctor HARRIS HENRY. I set the next meeting for 20.1.45 at 21.00 at old place near the hospital if doctor HARRIS does not change it.

The reference to "Dr. Harris Henry" is to Henry Harris, who is reported on in Section V.

In another document, also in the handwriting of Rogov, we read the following:—

Squadron Leader

Mat Nantingale, 155 O'Connor St. Apt. 1. Telephone 245.34. Sam is known to him as Walter. The first meeting took place on 19.12.44 at 21 o'clock in the apartment.

Possibilities: 1. Network of Aerodromes throughout the country (on both coasts).

2. Maps of the coasts.

He has been detached from the corporants, that is, he has been reserved for the future. He does not work for the corporation, his contact is only of a control nature twice a year.

He is married to an Englishwoman, is getting divorced, she is going to England to her mother. Reason—she does not like Canada.

Prior to the war he worked at the Bell Telephone Co. On 25.1.43 he informed Brent about his demobilization. He is going to the Bell Company. Regular meeting (arranged) for 24.2.45 at 20:30 at the corner of Elgin-McLeod Sts.

At the meeting of 24.2.45 he gave the address:— Montreal, 1671 Sherbrooke 57(51) Maps. Telephone 1-16-84. Regular meeting 24.3.45 at 20:30 Metcalf-Somerset. He will give the coasts RAF and listening-in on the telephone.

- Task—
1. Recruiting.
2. Materials of the Company.
3. Dubok—GND—how.

Another entry in one of the notebooks is as follows:—

LEADER

1. Biography, photo.
2. Possibilities.
3. Meetings, letter.
4. Recruiting.
5. Money.

Of Nightingale, Gouzenko said in his evidence -

- Q. Then you have referred to Nightingale; you have translated the word as Nightingale although it is written slightly differently, is it not? It is written as Nantingale?
- A. Yes.
- Q. Is there any doubt in your mind as to what the writer intended, whether he intended Nightingale?
- A. That is just writing and that is a mistake.
- Q. Do you know who Nightingale is?
- A. Oh, yes.
- Q. Who is he?
- A. It is the real name of some agent.
- Q. It is the real name of some agent?
- A. Yes.
- Q. Do you know whether the agent Nightingale has a nickname or cover name?
- A. Yes.
- Q. What was it?
- A. Leader.
- Q. How did you learn that?
- A. From telegrams.
- Q. Do you know who Nightingale was, what was his position, what was he doing?
- A. Squadron Leader in the Air Force and he worked in the Bell Telephone Company.
- Q. How did you learn that?
- A. From telegrams.
- Q. At that time was he a Squadron Leader or was he working for the Bell Telephone Company? Is he working for the Bell Telephone Company?
- A. When I saw his name the first time, when it was mentioned in telegrams, he was at that time working in the Bell Telephone Company.

Q. So he was out of the Air Force?

A. I understand that.

Q. He was previously in the Air Force before that?

A. I can only guess at that.

Q. How long have you known of Nightingale? When did he first appear in the telegrams? When did you run across his name first?

A. The end of 1944, the beginning of 1945.

Nightingale has associations with Durnford Smith, Agatha Chapman, Scott Benning, Dave Shugar, Freda Linton, Fred Poland, and H. S. Gerson. He also knew Fred Rose, and while he lived in Montreal before joining the R.C.A.F., he had met Sam Carr at a study-group meeting. It was at the time when the Communist Party was banned and Carr was introduced to him under the name "Walter" which he then knew was a cover-name. Nightingale attended many study groups in Montreal, Pointe Claire, and Ottawa, and was definitely a Communist. Speaking of himself and of his friends, Nightingale says:—

Q. You yourself at that time had Communistic leanings?

A. I had Communistic sympathies.

Q. Would it be correct to say that all the persons in those groups had Communistic leanings?

A. Absolutely, probably, yes.

Q. You knew and understood that at that time?

A. I would say so.

Q. That was really what brought you together?

A. Yes.

Q. You have been in Ottawa?

A. Not since 1944.

Q. What time in 1944?

A. I imagine the fall or summer, I do not remember. I only went two or three times.

Q. Those study groups would be made up of the same kind of people?

A. Yes.

Q. People with Communistic leanings?

A. That would seem to be the case, yes.

Q. But you knew that some of them were full-fledged members of the Communist party?

A. I would think there might be yes.

Q. And you think that might be true at the time?
A. Yes.

Q. When did they become Communistic?
A. Gradually. I would say sympathies, rather than leanings, or maybe they are the same thing. Over a period, I imagine, from 1939 to 1940-41.

Q. After your attendance at those study-groups began?
A. Yes.

It was Rogov, the assistant to Zabotin, who first contacted Nightingale. They had several meetings, the first one being "on a train" between Ottawa and Montreal. Nightingale tells us in his evidence how he happened to meet Rogov and he relates the conversation he had with him on that first occasion:—

Q. You told us you knew Jan?
A. Yes, as Jean.

Q. That is the cover name for Rogov?

Q. Where did you meet him?
A. I met him on a train to Montreal.

Q. To or from Montreal?
A. To Montreal.

Q. He was travelling a lot as several people seemed to have met him on the train?

A. I have no idea. All I know is that I met him. I met many people on the train because I used to go to Montreal practically every week-end.

Q. Who introduced you?

A. We just sat down together in the same seat. There was no introduction. I used to talk to whoever I sat beside. One or other of us opened the conversation and we would have a haphazard conversation, about things in general.

Q. Where did you get the name of Jean?

A. He introduced himself to me on the way to Montreal.

Q. As who?

A. As Jean something or other. I do not remember the last name

Q. Was he in uniform?

A. No, he was in civvies.

Q. He introduced himself to you as Jean?

A. Yes, Jean and some other name, some long name.

Q. A Russian name?

A. No, at the time I thought it sounded French.

Q. Did you ever hear the name Jean being given to a man before?

A. Yes, it is usually called Jean (*French pronunciation*).

Q. Jean would be —?

A. It would be the English pronunciation of the French.

Q. Will you tell us what took place then?

A. We had a general discussion about —

Q. You were sitting close to him?

A. In the same seat, yes.

Q. You travelled together from Ottawa to Montreal?

A. That is right.

Q. Which is a trip of about how many hours?

A. Normally it is about three hours, but as I remember it took place at the end of 1944 or the beginning of 1945, and at that time we were not busy, so usually I could go to Montreal on a Friday on a forty-eight, so it was probably Friday afternoon, and those trains usually take about two hours.

Q. And during those two hours or three hours you were sitting with him?

A. That is right.

Q. All right. Will you tell us what took place?

A. Oh, we had a general discussion about various things. I was in uniform —

Q. What do you mean by "various things"?

A. I was going to go into that. I was in uniform, and I forgot how the conversation came up. Usually it comes up about the weather, or something of the sort, and all I remember, though, is that during the conversation I gathered that he was in one of the legations or something at Ottawa, and he of course knew I was in the Air Force, and somehow or other in the conversation I mentioned that I was expecting to leave the Air Force in the near future.

Q. He found out, or he could see, that you were in the Air Force?

A. That is right.

Q. As you were in uniform?

A. Yes.

- Q And he told you he was in a legation in Ottawa?
- A Yes.
- Q And he asked questions about what you were doing?
- A Probably; yes.
- Q Well, he did?
- A Yes.
- Q And you must have asked him a question about what legation he belonged to?
- A No, I didn't, as a matter of fact.
- Q Did you see by his accent that he was a Russian?
- A No I realized that he was not a Canadian, as a matter of fact, because he had a very bad accent It was hard to understand what he said.
- Q Then will you explain the various topics that were discussed during that two hour trip?
- A The subject of my leaving the air force came up somehow I probably mentioned it, and in fact I did tell him that I was expecting to go back to the telephone company as an engineer. Sometime during the conversation I gathered, or he intimated to me, that his country might want telephone engineers after the war, and very vaguely — the whole subject was vague — I gathered he wanted to know whether I would be interested in such a job. Also, just shortly before leaving Montreal he asked me if I would be interested could he see me again.

Nightingale agreed to see Rogov again, although he says that at this first meeting he did not know whether Rogov was a Russian or not, and he did not know either in what country Rogov was offering him a position as a telephone engineer. Nightingale said:—

- Q Shortly before leaving Montreal?
- A I am sorry, before reaching Montreal, he asked if he could see me again sometime in Ottawa, and we arranged to meet at some date or other, a week or so after
- Q Where?
- A At my apartment, my room He was to come over at some time during one evening and discuss the matter further. At the time I was not very interested in a job outside of Canada in a foreign country, because I had a good job to go back to in the telephone company.

Although "not interested" in the offers made by Rogov, Nightingale kept his appointment and met Rogov in his apartment:-

Q. You were living at apartment No. 1, 155 O'Connor Street, Ottawa?

A. That is right.

Q. And the meeting was to take place a week after?

A. I would say about a week after.

Q. What time?

A. Oh, sometime in the evening I had thought when I was asked that it was 8 o'clock. I have since been told it is shown as 9 o'clock. I don't know.

Q. But he told you that he wanted to meet you?

A. We arranged some specific date.

Q. A specific date was arranged?

A. Yes.

Q. And what was the purpose of arranging a specific date? You knew at the time he was living in Ottawa?

A. Yes.

Q. He knew you were living in Ottawa?

A. That is right.

Q. And he could have reached you by telephone, because you had the phone in Ottawa?

A. That is true.

Q. And he has the phone, also, presumably?

A. Presumably.

Q. What was the reason for fixing a definite date there?

A. It never crossed my mind before, but I don't know. It seemed the reasonable thing to do, that was all. If you are going to meet someone or something, you set a date.

Q. And what were you going to meet him for?

A. Well, I gathered, as I remember now, that he was going to discuss the matter with his people.

Q. With his people? What matter was he going to discuss with them?

A. As to whether they could use my services as a telephone engineer.

Q. Where?

Q. In their country?

A. That was my understanding, after the war, not at that time.

Q. In their country?

A. Yes.

- Q. The country must have been named to you?
- A. No, definitely it was not. It seems silly, but I am inclined to take people at their face value and not ask things.
- Q. He was inviting you to go and work in a country, and you never inquired what country it was?
- A. No. That is true.
- Q. It is a good thing you did not go or accept?
- A. Well, I had not accepted. I was not particularly interested, as I was —
- Q. You were not interested, but you made a date with him to meet him a week after, at a definite time and a definite place?
- A. That is true. I was curious.
- Q. Why did you not try to satisfy your curiosity immediately, and ask him what the country was?
- A. Well, I don't know. It is just the way it happened. It does sound silly, I admit, but it is the truth.
- Q. I don't know whether it sounds silly. You had accepted up to that time, without too much questioning, the fact that you had met this man Carr under an assumed name?
- A. Yes.

- Q. At all events you kept that agreement?
- A. Yes; I did meet him.
- Q. You kept that appointment?
- A. Yes, I did.
- Q. And he met you there?
- A. Yes.
- Q. The following week?
- A. Whatever the date was set.
- Q. At the very time?
- A. That is right.
- Q. Did he arrive alone?
- A. Yes.
- Q. And what took place? How long did the meeting last? It was in your room?
- A. Yes, it was in my room.
- Q. He arrived at what time, approximately?
- A. I think it was sometime around 8 o'clock.

- Q. That was the time set when you left him on board the train?
- A. I don't know. It was sometime in the early evening.
- Q. And he left at what time?
- A. It lasted only about half an hour.
- Q. And what took place during that time?
- A. There was again, from my point of view, a very unsatisfactory discussion concerning my experience and what I was able to do as a telephone engineer.
- Q. You say it was unsatisfactory from your point of view?
- A. Because I did not understand a lot he said or tried to say. I had difficulty to make him understand.
- Q. You knew at that time that the last discussion was on his request to have you work in his country as a telephone engineer?
- A. Yes.
- Q. And would you consider that the second meeting was on the same subject?
- A. Well, I thought he would come to my place and give me some sort of definite information as to whether they needed me or wanted me, and if so, what the job would be.
- Q. Did he not tell you the first time that his country needed you?
- A. No, not definitely. I gathered that he had to discuss it with his people in Ottawa here, his superiors.
- Q. How much information did you give him that he would be able to discuss with his superiors in Ottawa, on the first meeting?
- A. On the train? Practically none, except that I was a telephone engineer and going back to the telephone company.
- Q. You told him about your experience with the telephone company?
- A. On the train? Only vaguely.
- Q. All right, then. With all this information, what took place at the second interview?
- A. Well, he went into more detail as to what my actual experience had been, or he tried to; and, as I say, I tried to explain to him the jobs I had done, without very much success because he didn't seem to understand me. This went on for about half an hour. We discussed what I had done in the telephone company and vaguely what I had done in the Air Force, not in detail but that I had been a telephone engineer, and it was decided he asked me

then if I would meet him again and he would bring a friend along, and I assumed that the friend would be there so he could speak English to me.

- Q Who suggested that a third party should be brought to the meeting?
A This fellow Jean.

As will be seen, at this second meeting Rogov not only insisted on Nightingale accepting the position, but was definitely much more inquisitive:—

- Q What in the second meeting was discussed that was not discussed at the first meeting?
A I went into more detail as to my experience.
Q Your experience with the Bell Telephone Company?
A Yes.
Q Or the R.C.A.F?
A Yes, only in general terms.
Q But in more detail than the first time?
A That is right, that I had done certain types of engineering work, and so on.
Q Was the question of tapping lines discussed at the first interview?
A It may have been.
Q Was the question of the land-line connection system in Canada discussed in the first interview?
A I don't remember, to tell you the truth.
Q Was it discussed at the first or second interview?
A By "first" do you mean the first interview on the train?
Q Yes.
A No, there was nothing specific like that discussed on the train.
Q When were the methods of tapping lines discussed first, was it on the train or at the second meeting?
A It was at the second meeting at my room.
Q And you gave him some explanations on that?
A As I remember it, he asked me if I was able to design telephone equipment, and for an example he gave this question of monitoring systems.
Q Of what?
A We call them monitoring systems.
Q Which you would translate for us as meaning what?
A Oh, listening-in devices.

A. Well, as I say, I tried to give him my experience with the telephone company, and what I was able to do, and he asked questions about this and that and the other thing. I don't remember, but it was that sort of discussion, and during the discussion this question of whether I could design telephone equipment came up, and I told him that I could, to some extent. He brought up this specific item of monitoring or listening-in devices.

Q When you learned at the second interview in what country you were invited to work - ?

A Yes

Q And that your employment agent, or whatever may be the term, was Rogov - ?

A Yes.

Q You knew that he was a Russian from the Soviet Embassy here in Ottawa at that time?

A Yes.

Q Well, did he not give you his right name then?

A No; definitely not.

Q And were you still satisfied to use this fake name Jean there?

A I was quite satisfied, because I was not interested in his last name.

Although the two first meetings had been quite "unsatisfactory", Nightingale agreed to meet Rogov a third time:-

Q All right. When did you agree to meet the stranger the third time?

A Well, at the second meeting he asked if I would meet him again, and he would bring a friend along, he would like me to meet the friend. I said I would do so, and he set a place. I don't remember the place; it was some street corner.

Q What was the place agreed upon?

A I don't remember the name. It was some street corner.

Q Then the next meeting was to be on a street corner?

A I'm sorry, he told me he would pick me up there in a car with a friend.

Q And he agreed a week in advance that you would meet, both of you, on a corner of a street, at a definite date and at a definite time?

A That is right.

Q. What impression did you get from that?

A. I got the impression that he did not want this friend of his to be seen talking or coming into my place. I may be an innocent ass, but that is the impression I got, and it did not raise very much question in my mind.

Q. You said the reason would be, or the reason you suspected, would be that he did not want his friend to know where you were living?

A. No, no.

Unfortunately, this meeting did not take place, so Rogov telephoned to Nightingale at his office and arranged for another meeting a few weeks later, at the end of January, 1945. This meeting did take place, and Nightingale relates it as follows:-

Q. At the same place?

A. No, it was another place, I think.

Q. On the street?

A. Yes. He said he would pick me up.

Q. Then what about this appointment? Did you keep this one?

A. I did keep this one.

Q. That is, at the time set and the date set you arrived at the corner agreed upon for the meeting?

A. That is right.

Q. And who did you find there?

A. I waited a few minutes, and he came along the street on foot, walking.

Q. Alone?

A. Yes. So we walked a few blocks, and by this time I was getting well, he didn't seem to be bringing his friend along, as I had expected, and again we went over whether I was a telephone engineer or not, though not in those terms, and we did not get any further, as a matter of fact.

Q. What do you mean when you say you did not get any further? As to what?

A. As to this proposition which he seemed to have vaguely in front of me, as to whether I would take some job or other as a telephone engineer.

Q How did you end that meeting on the street with Rogov?

A I think I intimated to him, in fact I definitely told him I was leaving Ottawa, because I was expecting to leave very shortly thereafter, I do not know how long, and that I did not — I was going back to work for the Telephone Company and did not — well, I was no longer interested in this proposition he seemed to have, but had never put to me.

Q Any way, you told him at that meeting, as far as you remember it, that you intended to leave, that you were leaving for Montreal?

A That is right.

Nightingale left shortly after for Montreal where he joined the Bell Telephone Company, and this is what he said:—

A He called me again at the telephone company.

Q He called you at the telephone company in Montreal?

A That is right.

Q At the place where you were working?

A That is right.

Q How long after your departure from Ottawa did he call you?

A Oh, I guess a month or more.

Q You guess a month or more?

A Because I was away after leaving Ottawa, I was away three weeks skiing and then I went back to the telephone company, so it would be somewhere around a month.

Q He may have called you in between but you would not know?

A That is correct.

Q When you came back to work he called you?

A He called me.

Q What was the conversation you had with him?

A As I remember he called me up and asked me if I would like to go over to his room and have a drink with him. This was, I believe, to take place after work. I was busy that night so I was unable to do so.

A I told him unfortunately I was busy. So he asked me if I would give him my home address and telephone number, which I did. That would be the Sherbrooke Street one. As I remember, he asked me to make a summary of my experience, to write him a summary of my experience.

Q. Why? Would you tell us what experience you had that he was interested in?

A. Well, I do not know exactly what he was interested in, but I did write him.

Q. You did write a summary?

A. I did write a summary.

Q. And the summary you wrote was the summary that he was asking for?

A. That is right.

A fourth meeting was arranged. Nightingale said:—

A. Finally he did give me a call at home one night about supper time. He asked me this time to again go down and meet him at his room. He asked me to meet him, as a matter of fact, outside the Ritz Carlton Hotel. So I told him I would do so. It so happened that night I had an appointment to play bridge and I met him somewhere around seven o'clock. I went down to meet him.

Q. How long after the meeting when you gave the summary did you meet him outside the Ritz Carlton?

A. This was the meeting I had. I had the summary with me. I had not given it to him as yet.

Q. How long after the meeting when he asked you for the summary did you give him the summary?

A. He asked me for the summary over the telephone at the office, when I was at the office.

A. This time he asked me to meet him outside the Ritz Carlton Hotel. When I got there he was waiting and he said he had not been able to get a hotel room but had got a room in a rooming house, somewhere down on Mountain Street, I think. That seemed quite reasonable to me because I had tried to get hotel rooms myself in Montreal and never had very much success.

A. So we went down to his room. I was only with him for about fifteen minutes at the most because I had an appointment at eight o'clock to play bridge. He offered me a drink at his room which we had, and he asked me if I had the summary, that he would like to have it. He also asked me if I had a picture. It just so hap-

pened that in my billfold I had several old chauffeur's licenses and one of them had a picture on it which I tore off and gave to him. It was an obsolete license so it did not matter. At that time I told him I was working at the telephone company. I was not interested in his job because I was quite satisfied, but I gave him this thing sort of thinking that maybe he will come to the point and give me some sort of an offer so I will find out after all this time what his proposition is.

The document in Rogov's handwriting already set out above contains information that Nightingale obviously gave to Rogov. His address, his telephone number, the nature of the work done by Nightingale at the R.C.A.F. and at the Bell Telephone Company, his matrimonial status, and the reference to the giving of information on telephone listening devices, all of which are mentioned in this document, leave little doubt on the matter.

Among Nightingale's "possibilities" listed in the document we see "*network of the aerodromes in the country*". Nightingale's knowledge on the subject was complete, he having been partly responsible for providing the land-lines between the airports. On this matter Nightingale says —

Q How did Rogov know that you had some experience or some knowledge of the aerodromes in the country on both coasts?

A Well, it would be probably because during the discussion of my experience in the telephone company and at the Air Force I had indicated to him that I was partly responsible for providing the land-lines for the airports.

As the possibility of Nightingale furnishing maps of the coasts, he says —

Q While you were in the Air Force did you have maps of both coasts?

A I had drawings of the east coast network, the east coast land-lines network and there were maps of the coasts on the wall of the officer in charge of land-lines.

Q And you had access to those maps?

A Oh, yes, we had access to the maps.

Some of the information that Nightingale obtained while in the R.C.A.F. was secret, and Nightingale was aware of this fact —

Q So that the knowledge that you acquired while you were with the R.C.A.F. would represent most secret knowledge that you obtained while working there?

A I would think so, yes. I do not know whether it is most secret, but it was my function in the Air Force to provide those land-lines.

Q You seemed to have some hesitation about most secret. Would you say that the knowledge you had of the network of aerodromes on both coasts was not more important than the knowledge that one would have of the aerodromes inland as far as the security of the country was concerned?

A I would say so, yes.

Q And you would consider that as secret?

A Yes.

Q So when Motinov wrote this note for Rogov, "Possibilities 1. Network of aerodromes in the country (both coasts)" and "2. Map of the coast," that was true?

A How do you mean true?

Q As a possibility?

A Yes, I had that information at the office.

Q Up to now everything I have read from the beginning of the exhibit has been true?

A Yes.

Nothing in the document just referred to shows that the information Nightingale was able to furnish was forwarded to Moscow, but Gouzenko says that information was obtained and sent to "The Director." Gouzenko testified as follows —

Q You did know that at some time or other he had worked for the Bell Telephone Company?

A In the telegrams wherein he was mentioned it was stated that he worked for the Bell Telephone Company and that he gave information concerning the tapping of telephone wires for listening in to conversations.

The first meeting on the train between Rogov and Nightingale, and the later meetings they had in Ottawa and Montreal, are more than sufficient to arouse one's suspicions. Nightingale's explanations are far from satisfactory. It would be conceivable, although very doubtful, that Nightingale might

have met Rogov casually on board the train and might have given him information about his experience as a telephone engineer only, had there been but one casual meeting, but it is hard to accept the astonishing explanations given by Nightingale for the series of meetings he had with Rogov.

All through his evidence Nightingale maintains that he was not interested in the proposition that Rogov made to give him a position in Russia, but although not interested he agreed to meet him four times to discuss, every time, the same subject.

After the meeting on the train, Nightingale, according to his own story, met Rogov the first time in his apartment in Ottawa, a second time on the corner of Elgin Street also in Ottawa, a third time on a street in Montreal and a fourth time in Rogov's room also in Montreal.

Nightingale knew at the second meeting that Rogov was a Russian who was connected with the Embassy in Ottawa, and the secrecy under which all these interviews were held suggests to us that Nightingale did not tell us all the truth and that he discussed with Rogov matters which he did not care to mention in his evidence. His interest in seeing Rogov so often, in giving a summary of his life and handing over a picture of himself, was not solely connected with the position offered in Russia, if in fact any such offer was made. There was, surely, some other interest which he has not revealed frankly.

Nightingale further admitted having discussed with Rogov listening-in telephone devices, linking of airports, land lines communications, network and allocations of aerodromes, maps of the R.C.A.F., and possibly the Gander project in Newfoundland. All this corroborates to a certain extent what the documents of the Embassy reveal.

The following documents were found in Nightingale's apartment in Montreal on the 15th February, 1946:-

- (a) A technical manual of Common Battery Telephone Equipment issued by the United States War Department.
- (b) A book entitled, *R.C.A.F. Landlines Construction and Maintenance*. This publication was issued by the R.C.A.F. for the information and guidance of construction engineering officers in the preparation of new submissions and the maintenance of Landlines facilities.
- (c) A book entitled *Construction Engineering Division*.

- (d) A memorandum relating to the Pacific Coast Programme with Appendices.
- (e) A list of test equipment turned over to the R.C.A.F. by Telephone Communications, Limited, on the 24th February, 1946.

These documents, which were improperly retained by Nightingale in his Montreal apartment after he had left the R.C.A.F., did not have equal importance, but some of them were "Secret" or "Confidential".

The document *R C A F Land-lines Construction and Maintenance* was, a short time ago, still a restricted document, and the memorandum relating to the Pacific Coast Programme with Appendices is particularly a document which should not have been in Nightingale's possession after he left the Service.

The fact that Nightingale retained in his possession some of these documents would appear to be a clear violation of *The Official Secrets Act*, 1939. Section 4 (1) subsection (c) says:-

If any person having in his possession or control any secret official code word, or password, or any sketch, plan, model, article, note, document or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty, . . .

(c) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof;

that person shall be guilty of an offence under this Act.

Being required by the provisions of Order in Council P.C. 411 "to inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential

information, the disclosure of which might be imminent to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication", and having regard to Nightingale's association with Rogov and the burden of proof thereby thrown upon him by *The Official Secrets Act, 1939*, together with his lack of frankness before us, which was manifestly an endeavour to hide his real conduct, we are of the opinion that he not only agreed to furnish unauthorized information to the Russians but actually did so. He admits the improper retention of R.C.A.F. documents.

SECTION III. 8

PC 92282 DAVID SHUGAR, Ottawa

This man's name was first brought out in evidence before us by Gouzenko, as follows:—

Q. Then who is Shugar?

A. That is the real name of an agent who was suggested by Sam.

Q. The real name of an agent suggested by Sam?

A. Correct.

Q. Do you know what his initials are?

A. I don't know.

Q. Do you know what he was doing, who he was?

A. He was working in the Naval Department. He is a specialist in anti-submarine detection; Asdic.

Q. And are you aware that he also had a nickname or a covername?

A. Later he was given a nickname, Prometheus, or Promety in Russian.

Q. That would be the Greek Prometheus?

A. Yes.

Q. So he was known as Promety or Prometheus?

A. Yes.

The "SAM" referred to is Sam Carr, and from the above it is established that Carr suggested to the Russians that Shugar would be suitable material for employment as an agent.

Shugar, who on his discharge from the Navy, entered the employ of the Department of National Health and Welfare in 1946, had entered the Canadian Navy on February 5th, 1944, as an Electrical Sub Lieutenant R.C.N.V.R. He had been born in Poland in 1915, coming to this country at the age of four or five. He received his B.Sc. in physics from McGill University in 1936 and his Ph.D. in 1940. For a short time he was employed in the Department of Physiology of that University and then entered the employ of Research Enterprises, Limited, a Crown Company, at Leaside, near Toronto, in January, 1941, where he remained until he joined the Navy as above mentioned. While with Research Enterprises, Limited, Shugar took the following oath on January 17th, 1941:

I, David Shugar, solemnly and sincerely swear that
I will faithfully and honestly fulfil the duties which
devolve upon me as a Director, Officer or Employee of
RESEARCH ENTERPRISES, LIMITED:

That I will not ask or receive any sum of money, services, recompense or matter or thing whatsoever directly or indirectly in return for what I have done or may do in the discharge of any of the duties of my said offices except my salary or what may be allowed me by law or by an Order of the Governor-in-Council,

And that I will not, without due authority in that behalf, disclose and make known any matter or thing which comes to my knowledge by reason of my association with or employment by RESEARCH ENTERPRISES, LIMITED.

SO HELP ME GOD.

D. SHUGAR.

He also signed a document in the following terms on February 12th, 1944:—

I, David Shugar, fully understand and agree that leaving the employe of Research Enterprises, Limited does not in any way relieve me of my responsibility concerning the oath of secrecy which I signed at the commencement of my employment with this company.

Shugar was thus in Toronto, which city was Sam Carr's headquarters, for approximately three years.

On arrival in Ottawa in March, 1944, he was assigned to the staff of the Director of Electrical Supply. The purpose of this branch was to produce anti submarine equipment in Canada for the British and Canadian Navies. He became a technical assistant to the Deputy Director and was chosen because he was a physicist. On entering the Navy Shugar also took the usual oaths including the oath of allegiance.

One of the first matters with which Shugar became connected was a difficulty being experienced in the paper used in Asdic equipment on surface ships and in harbour defences to record the location of submarines. In the United States the name used for their equipment corresponding to "Asdic" is "Sonar". The problem with the paper itself was a question of chemistry, not physics, and this problem was given to the University of Toronto, with Professor Beamish in charge. Shugar was, with Lieutenant Commander Anderson, made liaison officer between the University and the Navy. In connection with this matter, Shugar went to England and was away from October 26th to December 3rd, 1944. In the United Kingdom he visited a number of Admiralty establishments and commercial firms whose chemists were working for the Admiralty. He also had occasion to visit a number

of establishments in the United States both before and after his trip to England. All this was, of course, secret work.

In the dossier kept by the Embassy on Sam Carr, which was produced before us by Gouzenko, there is the following document:—

TASK No. 1 of "16-12-45"

To Sam for Shugar

1. Tactical and technical facts of the naval and coastal hydro-acoustic acoustic stations working in ultra-sound diapason. Common review on the "Caproni"s stability of the U.S.A. and Great Britain.
2. Stability, type of "Asdie" which is used in a new submarines and other ships.
3. Sets of the "Sonar"s type, working on the radio direction finding principle so-called hydro direction location finding sets.
4. Situation of hydrophonic sets in the ships of different classes.
5. Plants, workshops, Scientific Research Institutes and laboratories in England and in the U.S.A. which are making and planning the hydrophonic apparatus.
6. Passing of the planning and the test of examples of new types of the hydrophonic apparatus.
7. Knowledge of the battle utilization of the hydrophonic means.

The heading of "*Task No. 1 of 16-12-45*" and the sub-heading "*To Sam for Shugar*" is in Russian. The balance of the document is typed in English. The English is quite evidently that of a person not completely familiar with the language. The figures "45" obviously are a mistake for "44". This document, of course, had not been in the Embassy since September 5th, 1945 as it was brought away by Gouzenko. "*Task No. 2*" assigned to Carr, hereinafter referred to, is dated "*15.6.45*". The words "*acoustic*" in paragraph 1 and "*location*" in paragraph 3 are written in by hand over the typed word, which is struck out.

There is another document in the same dossier entirely in Russian and it must be remembered that Carr, as stated in his dossier, "*knows Russian perfectly*". This has a typed heading, which, as translated, reads. —"*Task No. 2 of 15.6.45*" The remainder of the document is in manuscript written

* *Faint type indicates words crossed out in original documents.*

by Rogov. It consists of three pages and contains a number of paragraphs, one of which on page 2 reads:—

2. Inform us where does the matter stand in the execution of the previously assigned tasks for Lieutenant Shugar.

Opposite this paragraph in the left hand margin of the document Rogov wrote the following:—

He works at present in the Naval Staff. He agreed to work for us but with special precautions. He has been under observation.

On the first page Rogov had endorsed "At present he works in the capacity of a scientist in the Naval Staff. Agreed to work". This is struck out, evidently because the paragraph in the document containing the question relating to Shugar was on the second page, and the fuller endorsement, set out above, was then entered on that page.

In Shugar's evidence he says that all his time from May, 1944 until January, 1945 was exclusively devoted to the problem in connection with the detection paper referred to above, and that while this work continued after that time, he then began work on another problem relating to oscillators. His evidence is:—

- Q. As far as the paper is concerned, it is the distance only that is recorded there?
- A. That is right.
- Q. And how long did you work on that?
- A. I worked full time on that, all my time was devoted to that problem until January of 1945.
- Q. Would you say from May, 1944 to January, 1945?
- A. Approximately, yes. My full time was devoted to that during that period, but subsequently to that, in January, 1945, I began the study of another project, but at the same time I used to be called upon for advice in connection with this same problem.
- Q. The other project you are referring to is the oscillators, is it?
- A. Yes.
- Q. Did you not start to work on that subject in December, 1944, and continue until October, 1945?
- A. I thought it was the beginning of January.
- Q. I am just asking you, and if it will help your memory on that, my information is that you started in December, 1944, and that you carried on that work until October, 1945?

- A. That may be true.
Q. Would that be correct?
A. If one put it to the end of 1944, I think that would probably cover it

Q. What function is carried on by the oscillator?
A. The oscillator is a device used for sending out the beam with which you detect the submarine.

Q. You would get the depth with the oscillator?
A. The particular type of oscillator we were concerned with, that was the one for recording depth.
Q. That is what you were working on in those two laboratories?
A. That is right.
Q. Depth oscillator, would that be the correct term?
A. I think that would probably cover it

Returning to "Assignment No. 1", of December 16th, 1944, as has been seen, it relates entirely to "Asdic" and "Sonar", anti-submarine devices, with the exception of the reference to the stability of the Caproni. Whatever knowledge Shugar may or may not have had or been able to obtain on Caproni, he was in a position where he either knew or had available to him at Naval Headquarters the fullest knowledge as to the latest developments in anti-submarine equipment. He had access also, as already mentioned, to naval establishments in the United Kingdom and the U.S.A. Accordingly, he was well qualified to supply the information required by "Task No. 1". He himself testified:—

- Q. What is the name you give to it in Canada?
A. The paper, or the system?
Q. The system?
A. Asdic.
Q. And in the United Kingdom?
A. Asdic.
Q. And in the United States?
A. Sonar, the United States use both terms, but Sonar is the one that is more definitely used.
Q. Am I right in saying that they all refer to the same thing, if I understand you correctly?
A. Yes.

- Q. How many laboratories did you visit all told in connection with your work?
- A. On paper?
- Q. In connection with both of them. You might deal with paper first, if you prefer, and then with the oscillator.
- A. You mean everywhere?
- Q. Yes?
- A. Shall I rattle them off by names or give the number?
- Q. By name if you prefer, and if it will assist you in answering the question?
- A. There were the ones mentioned previously in England. In the United States there was the Bureau of Ships, the Naval Research Laboratory, the laboratory at Orlando, Florida, and at Fort Lauderdale. There was one laboratory at Mountain Lakes, New Jersey. Then there was the one at Sagamore in Springfield, Illinois. There was the University of Toronto, Department of Chemistry, and the Montreal Pulp and Paper Research Institute. Do you want me to include places like Halifax and Cornwallis?
- Q. Were there laboratories at those places?
- A. Not laboratories.
- Q. Or research institutes?
- A. If I wanted to try something on a ship I would go to Cornwallis or Halifax.
- * * *
- A. I imagine it would be difficult to find any one person who has visited the specific places that I have.

Referring to the document "Task No. 1" itself, he said:—

- Q. How do you judge this, then, in Exhibit 19, that your name should be mentioned there in an official document of the Russian Embassy? What is your impression on that?
- A. My impression of this would be that somebody was presuming that it was possible to get these facts from me.
- Q. And you have already testified that in fact it was possible to get these facts from you?
- A. No, sir; it was not.
- Q. Well, in the sense that you had most or all of the information, either you had it personally or you could have obtained it. It was possible in that sense, apart from any consent on your part?

- A. I would say that it was possible for me to have obtained most of this information.
- Q. That, I think, is what Mr. Fautoux meant by his question?
- A. Yes, it was possible for me to have obtained this information, or most of it.
- Q. And do you not know of anybody else by the name of Shugar?
- A. No, I do not.
- Q. Who would be in a position to give that information?
- A. No.
- Q. Well, what is your reaction, then, on this exhibit which comes from the Russian Embassy, with your name on it, and the subjects dealing with the work that you were doing? What is your reaction on that?
- A. I do not know what to make of it, sir.
- Q. You do not know what to make of it?
- A. No.
- Q. You must have given some thought to it?
- A. Obviously someone was under the impression that they could get that information from me.

The Deputy Director, Operational Intelligence, Navy, who was not called as a witness with relation to Shugar, gave the following evidence however which is relevant here

- Q. Now let me ask you a similar question as to equipment. What during the war in the way of equipment would you anticipate that the Russians would be particularly interested in?
- A. I would think undoubtedly in anti-submarine equipment, including both what is known as Asdic equipment, which is the underwater sounding device for detecting submarines, and also Radar, with the particular application of Radar to the spotting of submarines on the surface. In addition there would be offensive weapons for use against submarines, certain types of depth charges and other projectiles which were used.
- Q. First of all take Asdic and Radar. Where would a Russian agent who was working through somebody in the services be likely to find information as to the equipment of the Canadian built vessels in regard to Asdic and Radar?
- A. Well, taking Asdic first, it would be extremely difficult to get any information on Asdic other than from a naval officer who was familiar with the equipment, who worked with the equipment, or

from some technical agency responsible for the building of some of this equipment. The Asdic is not visible on the ship, in other words, you cannot photograph it the way you can a Radar aerial, and therefore you would have to have somebody who was in close touch with this particular equipment. There is no question, of course, or there has not been a question, of the equipment being captured. It cannot be photographed easily, and therefore I think you would have to obtain the information directly from somebody who was using it or who was working on development of it.

- Q. There would be no central office in Ottawa where all that information about Asdic would be collated?
- A. Only in the navy there would be. The Anti submarine Division—there are two Directorates concerned, the Directorate of Scientific Research and the Directorate of Warfare and Training.
- Q. And they would have records giving all the information that they had gathered about Asdic?
- A. Yes; all developments would be available there.

Shugar met Sam Carr in Toronto, as he says, in or about October, or November, 1943, while the former was with Research Enterprises, Ltd. Shugar says that the last occasion he met Carr was July, 1945. Between those dates he admitted having contacts with Carr "perhaps two or three times." One of these occasions was at a party which Shugar said was "to raise funds for the *Canadian Tribune*". This was shortly after Shugar's return from England in December, 1944.

With regard to his conversations with Carr, whom Shugar described as an "inquisitive" person, he testified —

- A. I am not sure, but I think that when I first met him he asked me what kind of work I did.
- Q. Where would that be?
- A. That was in Toronto. That was when I was out to lunch with him.
- Q. That was in Toronto, when you were out where?
- A. When I met him at lunch down town with one trade union man.
- Q. While you were at Research Enterprises, Limited?
- A. That is correct.
- Q. While you were working for Research Enterprises, Limited, or while you were working with the navy?
- A. It was just before I was going into the navy. I was still in the employ of Research Enterprises, Limited.

Q. What did he ask you?

A. He asked me what kind of work I did, and I told him I was a physicist and did research and development. That is all I would tell him.

Q. Did you tell him you were going into the navy?

A. At that time I believe I had just received the notice that I would be going into the navy, and I very likely mentioned it.

Q. To Carr?

A. Yes.

Q. Were you not asked by Carr to give information to him as to what type of work you were doing while you were in the navy department?

A. Do you mean whether I was doing research or something else?

Q. Yes?

A. That is possible.

Shugar says the last occasion he met Carr was in Toronto on a Sunday night in July, 1945. He says he was at that time leaving for Ottawa and met Carr by appointment in a restaurant on Spadina Avenue. The official record kept in the Navy of Shugar's movements shows that he was in Toronto from July 14th to 17th, 1945, not having been there since the previous June 4th. On July 24th he left Ottawa for Halifax, and did not return to Ottawa until August 3rd, leaving again on August 13th for New York and Washington where he visited a number of naval establishments. As shown by the "Notes of Meetings" kept by Rogov (set out in full in Section V—*The False Passport*), Rogov met Carr in Toronto at Harris' apartment on July 17th and met him again in Montreal on August 1st. On August 2nd, Zabotin cabled *The Director*:

To the Director

1. Have agreed with Sam on handing over to us Shugar the connections with Prometheus. At present the latter is in Florida. The handing over will take place in the city of Sam on his return from Florida. I regard it expedient to entrust to Brent the connection with Prometheus.

* Faint type indicates word crossed out in original documents.

2 Sam promised to give us several officers from the central administration of the active forces. At present it is pretty hard to do it, in view of the fact that a ~~large~~ ^{large} number of persons & filling of positions in the staff with officers who have returned from overseas is taking place.

Grant.

3. We have received from Gray the whole correspondence on the question of the theory of the deformation of the shell in the channel of the barrel. Altogether about 150 pages. We shall send them in note.

Grant.

2.8.45

In the original Russian the name 'Shugar' appears in the first sentence but is struck out and the name *Prometheus* substituted. Toronto is "the City of Sam".

Accordingly, on either July 17th or August 1st, Carr reported to Rogov on his conversation with Shugar on July 15th and the endorsements made by Rogov in the margin of the copy of the document dated June 15th, which he had kept, is the consequence. It is altogether likely, and it would be the probable course of events, that Carr's report was made on July 17th. The document itself concludes as follows:—

P.S.:

1. Regular meeting in your city in 17.7.45.
Emergency meeting 24.7.45 at 9.30 in the evening
in your city in the same place (near the hospital),
the doctor knows.
2. After reading through, burn.

In the margin of the first page Rogov had also endorsed "2 copies", and "assigned 15.6.45" indicating that he had given one copy of the document out for Carr on that date, keeping the other in his file. In section V of this report on "The False Passport" the documents there set out show that Rogov met Harris in Ottawa on the evening of June 15, 1945.

At the meeting of August 1st Rogov handed Carr another "Task" dated that day which contains no reference to Shugar, the reason being, no doubt, because Carr's report had been received on July 17th and duly noted by Rogov on the document of June 15th.

As to the statement in Rogov's note that "he works at present in the Naval Staff", Shugar did not leave for Halifax until July 24th, but it is

* Print type indicates words crossed out in original documents.

altogether likely, by reason of the nature of his work, he then knew, as would appear from the contents of the cable of August 2nd, that he would have to go to the United States. He himself deposed —

"If I wanted to try something on a ship I would go to Cornwalls or Halifax."

Q. It could mean that you were in Halifax at that time?

A. I guess it could: yes.

"I recall Sam Carr asking me at the time I met him I would have had no hesitation in telling him where I had gone to or where I was planning to go to."

At this period he was engaged on experimental work in connection with the oscillator.

The document in Naval Headquarters signed by Shugar himself with reference to this particular trip sets out that he had "been directed to proceed on Public Service, namely, A/S Trials at H M C. Dockyard, Halifax, N.S." The letters "A/S" mean "Asdic".

While Zabotin's cable of August 2nd states that Shugar was at that time in Florida, he was in fact on his way back from Halifax but left for the United States on August 13th. Shugar testified:—

Q. Would you please listen to my question and answer it? I asked you what you told Carr, not what you may have told anybody else. Please put your mind on that question?

A. I told him where I went to and what places I visited.

Q. What places did you tell him you visited?

A. Springfield, Washington, Florida.

The above does not relate to his talk with Carr in July 1945 but merely sets out that Shugar had no reticence as to where he went in the course of his duty.

The statement in the cable of August 2nd, 1945, is explainable either on the basis that Shugar, as far as he then knew, did expect on his return from Halifax to go to Washington and on to Orlando and Fort Lauderdale, where he had been the previous January and February, and so told Carr, or that what Shugar said as to his intended movements got garbled in the transmission from Shugar to Carr to Rogov to Zabotin. The cable shows, how-

ever, that Zabotin, on the basis of Carr's report of July 17th, was so satisfied with Shugar's agreed status as an agent that he proposed having *Brent* (Rogov) make direct contact with him in the future and dispensing with the intermediaryship of Carr.

However, Moscow, without whose approval no one could be used as an agent and whose approval in detail was also necessary for the method of operation and contact, did not approve of this suggestion. On August 10th *The Director* cabled Zabotin:—

SECRET
14.8.45

To Grant.

Your telegram No. 232.

1. In my telegram of 19.7, I have advised that until the receipt from Prometheus of information material and the establishment of his possibilities in the Navy Department, the contact with him should be maintained through Frank.

Should it prove that Prometheus is a truly valuable man to us, direct contact may then be established with him. However, it is not desirable to entrust the contact to Brent. If you have no objection, it is better to transfer him to Chester for contact.

Wire in full his name and family name, his duties in the Navy Department and the address of his residence. Collect the remaining data and send forward by mail.

2. We are definitely interested in obtaining people from the departments mentioned. Let Frank, after the staffs have been set up in final form, recommend one or two candidates for our study.

10.8.45. Director

Grant
14.8.45

On this cable Zabotin put his name on August 14th as above. "Chester" is Captain Gourshkov, Zabotin's "driver". "Frank" is one of the cover names given to Sam Carr.

Following this we find in Carr's dossier "Task assigned 16-8-45", reading as follows:—

Assigned personally 16.8.45

The Task

1. To write a report on the technique of making up passports and other documents, indicating precisely who on your side (Frank's) is engaged in this activity.
2. What documents can be made and can be received through you.
3. To give a complete character outline of Prometheus, indicating his position, the department in which he works in the navy and also to write down his basic biographical facts, his home and office addresses and telephones.
4. The proposed place of work of Prometheus in the event of his demobilization.
5. Your possibilities regarding the selection of people in the General Staffs of the armed forces.

Paragraphs 3 and 4 relate to Shugar and carry out the above instructions in the cable of August 10th. The Embassy documents leave the matter here, but leave it in the position that Shugar had agreed to act as an agent, Rogov and Zabotin being completely satisfied that such was the fact.

The remainder of the marginal note on "Task No. 2" with which we have so far not dealt reads:—

"He agreed to work for us but with special precautions. He has been under observation".

We deal with the last sentence first. The presence of this statement in the note, in the light of the evidence to which we will now refer, establishes the complete genuineness of the whole note.

Dr. Beamish, who is Director, Analytical Research Division, University of Toronto, testified that the research work on the recorder paper reached such a stage in or about September 1944, that the Navy suggested that it might be advisable to reveal its composition to Great Britain. He said that Shugar came to him and suggested that he and Professor Beamish should go to England, take the composition with them, and discuss it with the British naval authorities. Dr. Beamish did not think he would be able to go but he arranged that one of his assistants, Dr. Currah, would take his place. It was therefore arranged that Shugar and Currah should proceed to England with the paper. A few days before Shugar left he went to Toronto, saw Dr. Beamish and told him that he had not been able to make arrangements for Dr. Currah to go with him, but that when, having regard to the

other matters he had to attend to, the matter of the paper came up, he would cable for Dr. Currah to come. Shugar however, did not cable and Dr. Currah did not go. It will be remembered that Shugar was a physicist, not a chemist, and that any discussions in England with persons engaged on the corresponding work there, would have to be with regard to a matter of chemistry. Dr. Beamish said:—

- Q. Having given to you and your department the requirements, it then became a problem in chemistry?
- A. It did, entirely.
- Q. Had Shugar any chemical knowledge?
- A. Well, I would say practically none.
- Q. And he did succeed in going to the United Kingdom alone, although it was considered that you or Dr. Currah would and should have gone with him?
- A. It was a very foolish thing, to send him alone.
- Q. Assuming that you or Dr. Currah had made the trip to England, you would have been in a position to discuss with the chemists of the United Kingdom the formula?
- A. Yes. It was almost ridiculous that a man with so little knowledge, almost no knowledge of the detecting paper, should go to England and discuss the paper. It was ridiculous.

Shugar arrived back in Canada December 3, 1944, and the record shows that he reported to Naval Headquarters at Ottawa that he went to Toronto University on December 6th following. Shugar repeated to Dr. Beamish some oral discussions he had had in England, and then after reminding Dr. Beamish that delay had been experienced in getting paper tested at sea as improvements were developed in the course of the research, and stating that paper which Dr. Beamish had sent to England was still in storage there, he put forward the following proposition:—

"He said he had made some personal contact—it is difficult to say just how he described it—he said he had made a personal contact with a laboratory and he would like from me interim reports so that they could be sent to this laboratory and it would facilitate having the testing made. This was unofficial. I cannot recall what I said to him, but I certainly did not agree. I sent a letter then to Ottawa pointing out that this suggestion had been made and objecting to it."

The letter referred to by Dr. Beamish is dated January 9, 1945, and addressed to Lt. Comm. Anderson at Naval Service Headquarters. The relevant paragraphs are as follows:—

I recently had a request from Shugar for information on the latest impregnation solution which we have developed. As you know we only revealed our first formulae on the assurance that our compositions would be given adequate protection. At your suggestion we felt that the patenting of the detector would give us the necessary security. We have asked Shugar for information as to the steps which have been taken toward this end, but up to the present we have not been informed of the progress that has been made.

Our most recent paper will require further work before we are satisfied with its performance. Until this stage has been reached we do not feel that the composition can be revealed. I do not wish to provide other laboratories with good ideas only half developed. Lieut. Shugar informed me recently that one British Laboratory is now working on our formula, and it was his hope to send on to them whatever information we made available. I must emphasize that, should the Navy consider this co-operation desirable, I shall authorize sending information on the condition that it proceeds directly through the regular Chemical Warfare channels.

As I mentioned to you during our last telephone conversation I believe that we should have a meeting to discuss the situation as a whole. We would like to have Shugar, Cowan from the Eddy Co., and yourself come to Toronto for this meeting because Currah and I are engaged in other researches and cannot leave Toronto. Could you arrange to come here around the final week of January?

Dr. Beamish followed his letter by a personal visit to Naval Headquarters in Ottawa as to which he said:—

- A. I pointed out that I objected to this kind of behaviour. I requested that Shugar be removed from his liaison position, which meant that he could not visit the laboratory. I recall the statement I made was if he could not be removed, that he not be sent to me unless I requested his presence, and I never would do that. There-

fore, I felt he should not appear in my laboratory at all and Anderson agreed to that.

Q. Why?

A. It is difficult to answer that; it is based on suspicion. I never trusted him after the first few months' experience with him. Little things which were raised, difficulties between him and Anderson which I checked up and found out some things. As a result of the discussions and Anderson's explanations, whatever they were, the sum and substance of the whole thing was that I distrusted him and I did not want him in the laboratory because I felt I could not trust him. That trip to England confirmed that, at least strengthened that suspicion. From that time on I did not want him around at all.

Q. Suspicion of what?

A. Suspicion and distrust, that is all. I can say quite definitely that I had no suspicion that he had any connection such as he has been accused of. I think I can say that. I do not know what the distrust was. I can cite several instances to bear out that feeling. I told the boys when they came to Ottawa, to Hull, to prepare these papers —on each occasion I warned them that they must not under any circumstances reveal anything whatever to Shugar; they must not get into discussions.

Q. That is your own laboratory staff?

A. My own laboratory staff. You may ask me why, but I do not know.

Q. This conversation that you had with him on his return from England in which he referred to a proposition; what was that concrete proposition, as best you can put it?

A. I will repeat what I said before. I am not just quite so sure of what he said, but he called to my attention something, and I knew that there was delay in having our papers tested on sea trials. To avoid that delay he said he had made contacts with certain laboratories, which he did not mention and would not mention, through which reports could be sent and requested interim reports from me, that is, reports having to do with unfinished work which was promising work. Specifically asked for certain formulae which we had never revealed because we felt they were not complete, but they were promising. We refused to give him that.

Q. Was that in relation to this detector paper?

A. It was all related to the detector. We had no other relationship. That strengthened my suspicion. To emphasize that, I wrote to